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Dean's Spotlight

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Dean's Spotlight February 16, 2016

Seattle University School of Law Dean

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Dean's Spotlight

**SEATTLE
UNIVERSITY**
SCHOOL OF LAW

February 16, 2016

Dear Colleagues,

I apologize for the delay in getting the Dean's Spotlight out recently. I've been feeling under the weather and am consequently behind in my work, but hopefully I'll get caught up this week. We have a number of notable upcoming events, including Sara Rankin's Poverty Law Conference on Friday and Saturday of this week, which I hope many of you will attend to show your support. Also, congratulations to our six faculty members who published books or articles this month!

Best regards,

Annette

Publications

Janet Ainsworth's book, *Discursive Constructions of Consent in the Legal Process*, will be featured at a book session at this year's Law and Society Association together with her recently published, *Speaking of Language and the Law*.

Maggie Chon's article, "Tracermarks: A Proposed Information Intervention," was recently published by the *Houston Law Review*.

Jennifer Cooper's [article](#), "First-year legal writing mistakes and how to avoid them," was published in the ABA's *Student Lawyer* magazine, January/February 2016 edition.

Lily Kahng's [article](#), "The Not-So-Merry Wives of Windsor: The Taxation of Women in Same-Sex Marriages," was published by the *Cornell Law Review*.

Upcoming Events

[The Entrepreneur's Approach to Creating a Nonprofit Law Firm CLE](#)

Friday, February 19
12:00 pm – 1:30 pm
Foster Pepper PLLC, Room 22East
1111 Third Ave, Suite 3400
Seattle, WA 98101

[Poverty Law Conference](#)

Friday, February 19 – Saturday,
February 20
9:00 am – 5:00 pm
Seattle U Law School

[The Defender Initiative Sixth Annual Conference on Public Defense](#)

Friday, March 4
8:30 am – 5:00 pm
Seattle U Law School

[Foundations of Civility in the Legal Profession CLE](#)

Friday, March 11 – Saturday, March
12
9:00 am – 5:00 pm
Seattle U Law School

[2016 Northwest Regional Immigration Law Conference](#)

Thursday, March 17 – Friday,
March 18
7:00 am – 5:30 pm
Seattle U Law School

Jack Kirkwood's article, "Reforming the Robinson-Patman Act to Serve Consumers and Control Powerful Buyers," was published by the *Antitrust Bulletin*. He was asked to write the article for a symposium on the Robinson-Patman Act.

Tayyab Mahmud published an article entitled "Precarious Existence and Capitalism: A Permanent State of Exception" in the 2015 ClassCrits Symposium issue of *Southwestern Law Review*.

Presentations

Janet Ainsworth presented a keynote address entitled "The Role of Syntax in Legal Judgment: Considerations for a Multi-lingual World" at the *Congresso da Associação de Linguagem e Direito* (ALIDI) and the *Simpósio Internacional de Estudos sobre o Discurso Jurídico* (DISJURI). She also presented "Procedural Justice and the Discursive Construction of Narratives at Trial" at ALAPP VI 2015 (Language, Discourse, and Action in Professional Practice) and "How to Do Things with Silence: Legal and Linguistic Interpretations of the Meaning of Silence" at the University of Washington Linguistics Department Distinguished Scholar Lecture.

Steven Bender presented a paper, "The Color of Cannabis: Race and Marijuana," as part of a *UC Davis Law Review* symposium on "Disjointed Regulation: State Efforts to Legalize Marijuana."

Other News

Bryan Adamson was recently honored with the 2016 William Pincus Award at the AALS Annual Meeting in NYC.

Tom Antkowiak was quoted in [this article](#) for Smithsonian.com about the legal issues at play in an indigenous community's fight against a massive canal project in Nicaragua.

In January, **Lori Bannai** spoke to Pierce County judges and commissioners on the continuing relevance of *Korematsu v. U.S.* and the Japanese American incarceration. She also served on a panel on the incarceration and Islamophobia at the San Francisco commemoration of Fred T. Korematsu Day. Also, her biography of Fred Korematsu, *Enduring Conviction*, was reviewed in the [LA Review of Books](#).

[Blood, Breath, and Tears: The Science and Law of DUI CLE](#)

Wednesday, March 23

8:45 am – 4:10 pm

Room 110 Visit the School of Law website for more [upcoming events](#).

Bob Boruchowitz spoke on January 16 to the Sullivan Leaders' Day at the undergraduate school of SU. He was also on a panel on criminal justice and spoke on "The Injustice in the Criminal Justice System; Making the System Fair with Legal Representation for All." He also testified in Federal Court in Portland, Oregon, to the Ad Hoc Committee to Review the Criminal Justice Act. He discussed the need for greater independence for the CJA lawyers and for parity of resources with the US Attorneys, and advocated for the development of a Culture of Excellence in federal public defense nationally. Bob also spoke and moderated a panel on Misdemeanors at the American Bar Association Indigent Defense Summit in San Diego.

In late January, **Robert Chang** was a panelist at Dorsey & Whitney's CLE, "Rock Bands, R**skins & Registrations: The Federal Circuit Strikes Down Statute on 'Disparaging' Trademarks" (text altered). The Korematsu Center had previously joined the National Asian Pacific American Bar Association (NAPABA) and the South Asian Bar Association - D.C. in the Federal Circuit arguing that Section 2A of the Lanham Act did not violate the First Amendment. On February 11, the Korematsu Center, joined by the National Native American Bar Association, NAPABA, the Native Hawaiian Bar Association, and the California Indian Law Association, filed an amicus brief in the United States Court of Appeals for the Fourth Circuit in *Pro-Football, Inc. v. Blackhorse*. The organizations were represented by pro bono counsel at Perkins Coie. The amicus brief argued that the Patent and Trademark Office acted within its legal authority in canceling the federal registration of several of the Washington football team's trademarks because Section 2A of the Lanham Act does not violate the First Amendment.

Maggie Chon recently secured a book contract with Cambridge University Press on the topic of Public-Private Partnerships, Global Intellectual Property Governance and Sustainable Development. Her book co-editors are Pedro Roffe and Ahmed Abdel-Latif of the International Centre for Trade and Sustainable Development, a Geneva-based NGO.

Brooke Coleman reviewed Liz McCuskey's article, "Submerged Precedent," on [JOTWELL](#).

Charlotte Garden explained to [Bloomberg Business](#) how arbitration clauses make a big difference between Uber and Lyft drivers' contracts.

She also wrote a piece for [The Atlantic](#) explaining how strong public-sector unions benefit employers as well as employees.

Lily Kahng's article, "The Taxation of Intellectual Capital," published in *Florida Law Review*, was favorably reviewed by [Karen Burke](#) (Florida), [Calvin Johnson](#) (Texas), and [Charlene Luke](#) (Florida), all in the Florida Law Review Forum.

Professor **Jack Kirkwood** commented on how U.S. Supreme Court rulings have affected class certification for a story in [Policy and Regulatory Report](#).

Madeline Kass was appointed Chair of the AALS Natural Resources & Energy Section for 2016.

A complaint developed by **Jim Rosenfeld's** Fall 2015 special education seminar class was filed against the Office of the Superintendent of Public Instruction (OSPI). The complaint asserts that limited English proficient (LEP) parents are unable to be equal partners in their children's education, a fundamental requirement of the Individuals with Disabilities Education Act (IDEA), because OSPI has failed to assure the availability of language services. OSPI has been aware of this failure, the complaint argues, because it surveyed all school districts last year for a report by the Governor's Office of Education Ombuds. Moreover, failure to assure the language services, the complaint notes, may jeopardize Washington State's federal IDEA funds.

David Skover has been invited to participate in a workshop involving select First Amendment scholars to be held on February 24-27 at the University of Arizona in Tucson. Entitled "Speech Holes," the workshop focuses on the meaning and future of free speech theory as applied in major contemporary controversies (such as campus political-correctness codes, regulation of violent media imagery, regulation of election campaign financing, etc.). Among the participants are Jack Balkin (Yale), Fred Schauer (Harvard), Seth Kreimer (Pennsylvania), Margot Kaminski (Ohio State), and Jane and Derek Bambauer (Arizona).

John Strait was quoted by [Oregon Public Broadcasting](#) about the ethical issues at play in lawyers offering their services to the militia members in the Oregon standoff.

John Weaver received the Distinguished Service to Legal Education Award from the Tacoma-Pierce County Bar Association at the TPCBA Annual Lincoln Day Dinner.

After two years of litigation, the **International Human Rights Clinic** obtained a very favorable decision from the United Nations Working Group on Arbitrary Detention. The UN group ruled that the Clinic's client Nestora Salgado had been illegally detained in Mexico and must be immediately released, as well as provided compensation. The decision was widely covered by national and international media, including the Associated Press, [The New York Times](#), [The Guardian](#), [Fox News Latino](#), and Washington Post.

Please send items to be included in the next Dean's Spotlight to [Jessica Fuqua](#) in the Dean's Office.